

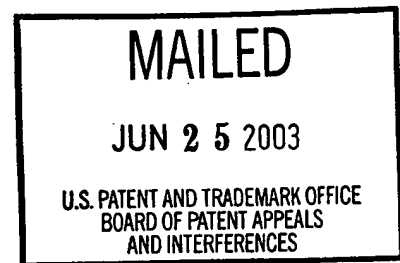
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte JEFFREY A. ROBL,
REX A. PARKER,
SCOTT A. BILLER,
HARRIS JAMIL,
BRUCE L. JACOBSON, and
KRISHNA KODUKILA



Application No. 09/391,053

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 22, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

A paper entitled "Second Supplemental Information Disclosure Statement" was filed September 30, 2002 (Paper No. 24), and a paper entitled "Third Supplemental Information Disclosure State" was filed October 31, 2002 (Paper No. 25). It is not

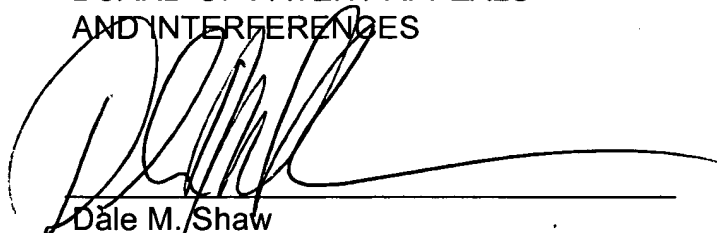
apparent from the record that the examiner properly considered either paper submitted nor notified appellants of why his submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is returned to the Examiner for such consideration of the two Supplemental Information Disclosure Statements (Paper Nos. 24 and 25), and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line. The signature is stylized with a large initial 'D' and a long, sweeping horizontal stroke extending to the right.

Dale M. Shaw
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